IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 24958 of 2000

Between:

P.Venkata Ramana, S/o. P.Mallesh.
Adilabad.

..... PETITIONER

AND

Sri Saraswathi Grameena Bank, rep. by its Chairman,
Shanta Bhavan, Cinema Road,
Adilabad.-504 001.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the in action of the Respondent Bank in not absorbing the petitioner in the service of the Respondent Bank as Messenger or any other suitable post for which the petitioner is eligible as illegal, unjust and violation of rights guaranteed under Articles 14,16 and 21 of the Constitution of India and consequently to direct the Respondent Bank to absorb the petitioner in the post of Messenger or any other equivalent post for which the petitioner is eligible.

Counsel for the Petitioner: MR.V.N.K.BABU

Counsel for the Respondent : MR.K.GOPALA KRISHNA MURTHY

The Court made the following :

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

WRIT PETITION No.24958 of 2000

ORDER:

Heard Sri V.N.K. Babu, learned counsel appearing for the petitioner and Sri K.Gopalakrishna Murthy, learned counsel appearing on behalf of the respondent.

The main grievance of the petitioner is that even though he has been working for almost more than 10 years, as a messenger, his services have not been regularised and he has not been given the due benefits he is entitled to under Law.

The case of the petitioner is that he has been in service as a casual labour and working as a messenger on daily wage basis without any break. Initially, he was being paid Rs. 200/- per month and subsequently the same was enhanced to Rs. 500/- per month in the year 1999. Thereafter, he himself approached the authorities apart from filing representations for considering his case for regularisation and other benefits, but the same were not considered and no orders have been passed. Hence, the Writ Petition.

Having heard the learned counsel on either side and on perusal of the material, there is no dispute to the fact that the petitioner has been in service from the year 1993 working as a Messenger on consolidated wage. There is no serious denial in regard to the representations made by the petitioner in the later years, i.e. on 30.04.1999, which is still pending and no orders have been passed thereon. Taking into consideration the long service and that there is no adequate reasons to deny any such benefits to him, it would suffice in the interest of justice to direct the authorities to consider the

case of the petitioner for regularisation.

The Writ Petition is, accordingly, allowed, directing the respondent to consider the case of the petitioner for regularisation of services and providing all the other benefits to which he is entitled to as per the Regulations. The entire process shall be completed within a period of four weeks from the date of receipt of copy of this Order. No costs.

(B.Prakash Rao, J.)

11.02.2005

DRK

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice, on

Friday, the eleventh day of February Two thousand and five.

Assistant Registrar

Copy to:

1. The Chairman, Sri Saraswathi Grameena Bank,
   Shanta Bhavan, Cinema Road, Adilabad.-504 001.
2. Two CD copies.